

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAWS RELATED TO FUNDING EDUCATIONAL
5 PROGRAMS IN YOUTH DETENTION FACILITIES; FUNDING THE PROGRAM FROM A SCHOOL DISTRICT'S
6 TUITION FUND; CAPPING THE PAYMENT FOR SERVICES AT UP TO 260 DAYS; AMENDING SECTIONS
7 20-9-130 AND 41-5-1807, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 20-9-130, MCA, is amended to read:

12 **"20-9-130. District obligation for students in youth detention facility.** A school district is
13 responsible for providing funding for the education of students of the district who are detained in a youth
14 detention facility. The school district's obligation must be funded from the district's ~~general~~ tuition fund."

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16 **Section 2.** Section 41-5-1807, MCA, is amended to read:

17 **"41-5-1807. Responsibility for payment of detention costs.** (1) Absent a contract or agreement
18 between counties and except as provided in subsection (2), all costs for the detention of a youth in a
19 county or regional detention facility, including medical costs incurred by the youth during detention, must
20 be paid by the county at whose instance the youth is detained.

21 (2) A detention facility providing an educational program for youth held in lawful custody at the
22 facility is eligible to receive education funding, as provided in 20-9-130, calculated as follows:

23 (a) Before the end of each fiscal year, the facility shall compile the following information by school
24 district:

25 (i) the number of youth detained in the facility over 9 consecutive days during the prior year; and

26 (ii) the total number of days, not to exceed 260 days for each youth, that the youth described in
27 subsection (2)(a)(i) were detained.

28 (b) The facility shall calculate ~~the~~ each school district's obligation for educational services by
29 multiplying the number of youth detained and the total number of days detained, as provided in subsection
30 (2)(a), by \$20 a day for each youth. The calculation must be sent to the school district no later than June

1 30. The school district shall transmit the amount calculated to the county treasurer of the county where
2 the facility is located no later than July 15.

3 (c) The funds are to be used by the county for educational services provided by certified personnel
4 in the detention facility located in the county and ~~is~~ are subject to the requirements of Title 7, chapter 6,
5 part 23."

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7 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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